

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BOARD OF TRUSTEES OF THE
CHICAGO PAINTERS AND
DECORATORS PENSION FUND,
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Plaintiffs
v.
CAUSE NO. 1:17-cv-02658
ROGER GOSSETT and
CINDY K. GOSSETT
Defendants

DEFENDANT, ROGER GOSSETT'S MOTION FOR ENTRY OF JUDGMENT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Defendant, Roger Gossett (“Defendant Gossett) files this Motion for Entry of Judgment against Defendant, Cindy K. Gossett. In support thereof, Defendant Gossett would respectfully show the Court as follows:

I. BACKGROUND

The Board of Trustees of the Chicago Painters and Decorators Pension Fund (“Fund”) filed the Complaint, seeking guidance from the Court on the determination of the extent of the Fund’s obligation with respect to Defendant Gossett, the Plan’s participant and beneficiary, and Cindy K. Gossett, who alleges to be a beneficiary under the Plan. Defendant Gossett subsequently filed a Cross Claim against Cindy K. Gossett, on the basis that Ms. Gossett

voluntarily relinquished her right to a portion of the pension through a contractual agreement and by payment.

On or about October 20, 2017, this Honorable Court ordered for these parties to conduct written discovery. Therefore, on or about October 25, 2017, Defendant Gossett served Cindy K. Gossett with Interrogatories and Request for Production. Prior to the date the responses were due, Ms. Gossett contacted the office representing Defendant Gossett. At that time, Ms. Gossett spoke with Cecilia Kinsey, the legal assistant for Shannon Robbie Ramirez, who is representing Defendant Gossett. Ms. Gossett advised Ms. Kinsey that she was “dropping the lawsuit” and would no longer be able to participate in the litigation due to health and/or medical reasons.

Ms. Ramirez has not spoken with Ms. Gossett since the October 20, 2017 conference with the Court. Ms. Ramirez did not have any communications with Ms. Gossett after the telephone conversation between Ms. Gossett and Ms. Kinsey. However, Ms. Gossett has not responded to the Interrogatories and Request for Production that were sent to her on or about October 25, 2017.

II. RELIEF SOUGHT

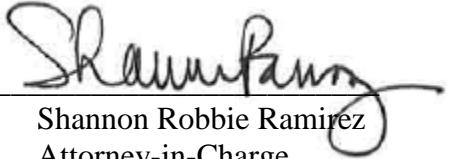
Defendant Gossett would request that this Court grant this Motion for Entry of Judgment in favor of Defendant, Roger Gossett. Further, Defendant Gossett would request that the Court order that Defendant, Roger Gossett, is entitled to 100% of the pension funds, and that Cindy K. Gossett is not entitled to any of the pension funds.

Cindy K. Gossett is requested to file a response to this Motion for Entry of Judgment no later than December 18, 2017. Ms. Gossett is advised that, if she does not file a response, the Court will be requested to enter a judgment in favor of Defendant, Roger Gossett. Further, Defendant Gossett will request that the Court also order that Ms. Gossett will not be able to seek

a portion of the pension funds under the Plan at a later that date; that is, if the Court grants Judgment in favor of Defendant, Gossett by Ms. Gossett's refusal to respond or participate in this litigation, she will be barred from seeking any portion of the pension funds under the Plan at a later date. Defendant Gossett would further request that the Court find that Cindy K. Gossett has waived her right to claim any benefits under the Plan, and that Cindy K. Gossett is not be entitled to any benefits allowable under the Plan.

Respectfully submitted,

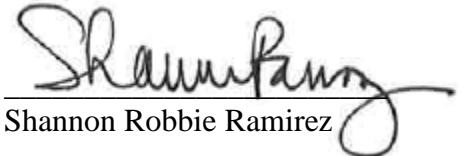
ROGER GOSSETT

By: 
Shannon Robbie Ramirez
Attorney-in-Charge

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all counsel of record through the Court's CM/ECF system on the 8TH day of November, 2017. The foregoing document was sent via regular mail to all pro-se parties.


Shannon Robbie Ramirez